

IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF ALABAMA
NORTHERN DIVISION

WEEKLY'S TRUCKING, L.L.C.,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO.
)	06-0400-BH-B
CJ'S TRUCKING, L.L.C.,)	
)	
Defendant.)	

ORDER

This action is before the Court on a motion to dismiss for lack of personal jurisdiction, or in the alternative, to transfer to a more convenient forum (Doc. 12), which was filed by the defendant, CJ's Trucking, L.L.C. ("CJ's"). Upon consideration of the motion, plaintiff's response in opposition thereto (Doc. 16), and all other pertinent portions of the record, the Court concludes and it is therefore **ORDERED** that CJ's motion to dismiss is due to be and is hereby **DENIED** for the reasons stated by the plaintiff.

The evidence clearly demonstrates that CJ's was transacting business in the State of Alabama at the time it entered into the contract at issue in this action and had sufficient minimum contacts with the State of Alabama to satisfy due process requirements. This Court unquestionably has *in personam* jurisdiction over the defendant. Venue is also proper inasmuch as a substantial part of the events or omissions giving rise to plaintiff's

claim occurred within this venue and CJ's has failed to satisfy the Court that transfer pursuant to 28 U.S.C. § 1404(a) is appropriate.

DONE this 21st day of September, 2006.

s/ W. B. Hand
SENIOR DISTRICT JUDGE